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LG DISPLAY AMERICA, INC.

8 [Additional moving parties and counsel listed
on signature pages]

9
10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 (SAN FRANCISCO DIVISION)

13
14 IN RE: TFT-LCD (FLAT PANEL)
15 ANTITRUST LITIGATION

CASE NO. 3:07-md-1827 SI
MDL NO. 1827

16 This Document Relates to:
17 Case No. 10-cv-5458 SI

STIPULATION AND [PROPOSED]
ORDER WITHDRAWING JOINT
MOTION TO DISMISS AND MOTION
TO COMPEL ARBITRATION AND
EXTENDING TIME TO RESPOND TO
AMENDED COMPLAINT

18 SB LIQUIDATION TRUST,
19 Plaintiff,

20 v.

21 AU Optronics Corporation, et al.,

22 Defendants

1 Plaintiff and Defendants, through the undersigned counsel, request that the Court enter the
2 following order to withdraw: (1) the Defendants' Motion to Dismiss directed to Plaintiff; and (2)
3 Defendants LG Display Co., Ltd.'s and LG Display America, Inc.'s Motion to Compel Arbitration
4 directed to Plaintiff, and extend Defendants' time to respond to the amended complaint that Plaintiff
5 will file on or before June 21, 2011.

6 WHEREAS certain Defendants filed a joint motion to dismiss the Complaint in this action on
7 May 12, 2011 (MDL Dkt #2757), and Defendants LG Display Co., Ltd. and LG Display America,
8 Inc. filed a motion to compel arbitration on May 12, 2011 (MDL Dkt #2761) (the "Motions");

9 WHEREAS the hearing on the Motions was originally scheduled for June 24, 2011;

10 WHEREAS Plaintiff, although it opposes the Motions, will exercise its right under Federal
11 Rule of Civil Procedure 15(a) to file a First Amended Complaint in lieu of filing an opposition to the
12 Motions;

13 WHEREAS the parties agree that the briefing dates and hearing associated with the Motions
14 should be withdrawn and that Plaintiff will file its First Amended Complaint after the existing
15 deadline to file its opposition to the Motions;

16 WHEREAS the parties further agree that Defendants may have 30 days to respond to the First
17 Amended Complaint from the date that it is filed, that Plaintiff may have 21 days to oppose or
18 otherwise respond to Defendants' response, and that Defendants may have 14 days to reply to such
19 opposition;

20 THEREFORE, Plaintiff, by its counsel, and Defendants, by the undersigned counsel, stipulate
21 and agree as follows:

- 22 1. Plaintiff shall file a First Amended Complaint on or before June 21, 2011.
- 23 2. The Motions shall be withdrawn and the briefing schedule and hearing date stricken.
- 24 3. Defendants shall have 30 days from the date of the filing of the First Amended
25 Complaint to answer or otherwise respond to the First Amended Complaint.

1 4. Plaintiff shall have 21 days from the date of the filing of the Defendants' answers or
2 other responses to the First Amended Complaint to oppose or otherwise respond to Defendants'
3 filings.

4 5. Defendants shall have 14 days from the date of the filing of the Plaintiff's responses to
5 submit any replies.

6 6. Plaintiff and Defendants agree that this case shall be considered as filed after
7 December 1, 2010 solely for the purposes of Judge Illston's *Order re: Pretrial and Trial Schedule*,
8 dated November 23, 2010 (MDL Dkt #2165), and for no other purpose.

9 7. Plaintiff and Defendants agree that, should Defendants LG Display Co., Ltd. and LG
10 Display America file a motion to compel arbitration in response to Plaintiff's First Amended
11 Complaint, Plaintiff will not argue that such a motion has been waived due to: (a) the withdrawal of
12 the current motion to compel arbitration (MDL Dkt #2761); or (b) the passage of time between the
13 filing of that motion to compel arbitration and any subsequent motion to compel arbitration filed by
14 Defendants LG Display Co., Ltd. and LG Display America, Inc.

16 **IT IS SO STIPULATED.**

18 DATED: June 3, 2011

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13 and Toshiba America Information Systems, Inc.

14
15 Attestation: The filer of this document attests that the concurrence of the signatories thereto
16 has been obtained.

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18 Having considered the foregoing stipulation, and good cause appearing,

19 **IT IS SO ORDERED.**

20 6/21/11



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28 Judge Susan Illston